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Before the

FEDERAL COMMUNICATIONS COMMISSION

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Washington, D.C. 20554

In the Matter of )  
 )  
Amendment of Section 73.202(b) ) RM \_\_\_\_\_  
of the Commission's Rules, )  
Table of FM Allotments )  
(Henderson, Texas) )

To: Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

PETITION FOR RULEMAKING

Dean Broadcasting, Inc. ("Dean"), by counsel and pursuant to Section 1.401 of the Commission's rules, hereby petitions the Commission to initiate a rulemaking proceeding to consider a proposal to amend the FM Table of Allotments (47 C.F.R. 73.202(b)) so as to substitute Channel 260C3 for Channel 260A at Henderson, Texas. In support whereof, the following is respectfully stated.

Submitted herewith is a Technical Exhibit which demonstrates that Channel 260C3 can be allotted to Henderson without creating harmful interference, albeit with site restrictions. Dean proposes that the Commission amend Section 73.202(b) of its rules in accord with the demonstration made in this Technical Exhibit.

Dean is the licensee of FM broadcast station KGRI, Henderson, Texas. KGRI operates on Channel 260A. Dean also requests that if this proposal is adopted by the Commission, Dean's authorization for KGRI be modified to operate on the higher power channel.

If the Commission amends the Table of Allotments as requested and modifies the license for KGRI, Dean will promptly apply for authority to construct the appropriate modifications to KGRI and will promptly operate the station with the higher powered facilities when authorized to do so.

The grant of this Petition would serve the public interest because it would allow KGRI to provide service to a larger area and population, thus increasing the choice of aural services available to the public in the expanded coverage area.

The amendment to Section 73.202(b) herein proposed is as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Henderson, Texas	260A	260C3.

Wherefore, the premises considered, Dean Broadcasting, Inc. respectfully urges the Commission to initiate a rulemaking proceeding to consider the amendment of Section 73.202(b) of the Commission's rules as proposed above.

Respectfully submitted,

DEAN BROADCASTING, INC.

By:   
Donald E. Martin

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Washington, D.C. 20036  
(202) 887-5070

Its Attorney

October 21, 1992

REQUESTED RULE MAKING  
DEAN BROADCASTING, INC.  
RADIO STATION KGRI (FM)  
REQUESTS CHANNEL 260C3  
HENDERSON, TEXAS  
October 1992

Technical Exhibit  
TE-1

Bromo Communications, Inc.  
P.O. Box M - 1331 Ocean Boulevard, Suite 201  
St. Simons Island, Georgia 31522  
(912) 638-5608

REQUESTED RULE MAKING  
DEAN BROADCASTING, INC.  
RADIO STATION KGRI (FM)  
REQUESTS CHANNEL 260C3  
HENDERSON, TEXAS  
October 1992

This Technical Exhibit supports the request of Dean Broadcasting, Inc. ("Dean"), licensee of Radio Station KGRI (FM), Henderson, Texas, to change the FM Table of Allotments, §73.202, by substituting Channel 260C3 for the present KGRI (FM) allocation, Channel 260A. It is noted that Channel 260C3 must be site restricted from Henderson (and the present KGRI location) to clear the allocation clearance requirements of §73.207.

MM Docket #84-231 ordered KGRI to change from Channel 261A to Channel 260A as a 3.0 kW Class 'A' allotment. This allotment (260A) precludes the counterproposal by Irvin Davis to add Channel 263C to Redland, Texas. Although it is apparent that Channel 263C cannot co-exist with Channel 260A in Henderson, the Redland proposal remains in the database, but is not considered here as a limitation to KGRI (Exhibit #2). The effective date of the allocation of Channel 260A to Henderson, Texas, was March 2, 1992. KGRI was limited from increasing power to a maximum 6.0 kW Class 'A' facility by Channel 259C2 in Shreveport, Louisiana, reserved for KMJJ. In the interim, KMJJ applied for a specific transmitter site to implement 259C2 in Shreveport, which is fully spaced to 6.0 kW in Henderson (Exhibit #2).

Exhibit #1 is a computer printout on the allocation/clearance study which demonstrates that Channel 260A can be replaced with Channel 260C3 in Henderson at reference coordinates North Latitude 32° 03' 15", West Longitude 94° 49' 43". Although shown as shortages in the printout, the proposal for Channel 263C in Redland, Texas, and the allocation site for Channel 259C2 in Shreveport, Louisiana, are not considered limitations as noted above. Additionally, there are slight shortspaces noted to the application by KMJJ, Shreveport, Louisiana (BPH-920730MC), and the proposal to add Channel 260A to Sulfur Springs, Texas. These spacing shortages, however, are less than 0.5 km and, therefore, are rounded to 0.0 per §73.208(c)(8).

From the reference coordinates, a maximum Class C3 facility will fully serve the community of Henderson with a 3.16 mV/m City Grade Contour and meet all spacing requirements of §73.207 (Exhibit #3). When allocated Dean Broadcasting, Inc., will, in a timely manner, file an application for permission to construct the upgraded facility.

PROPOSED CHANGES TO 73.202

	<u>PRESENT</u>	<u>PROPOSED</u>
Henderson, TX	260A	260C3

We have tried to be as accurate as possible in the preparation of this report. Should there be any questions concerning the information contained herein, we welcome the opportunity to discuss the matter by phone (912) 638-5608.

KGRI - HENDERSON, TEXAS  
UPGRADE CLEARANCE STUDY

REFERENCE	CLASS C3	DISPLAY DATES
32 03 15 N		DATA 08-26-92
94 49 43 W	Current rules spacings	SEARCH 10-02-92
CHANNEL 260 - 99.9 MHz		
CALL TYPE	CH# LAT	CITY LNG
	STATE PWR	BEAR' HT
	D-KM D-Mi	R-KM R-Mi
		MARGIN (KM)
ALOPEN 260A	Henderson TX	19.0 8.31 142.0 -133.69
AL N 32 07 30	94 48 00 0.000 kW	OM 5.2 88.3
>Effective 3-2-92-Reserved for KGRI FM per MM Docket # 84-231		
# - AD263 263C	Redland TX	158.3 60.38 96.0 -35.62
AD 31 32 53	94 35 36 0.000 kW	OM 37.5 59.7
Irvin Davis		
>Counterproposal		
+ - ALOPEN 259C2	Shreveport LA	60.8 110.81 117.0 -6.19
AL N 32 32 30	93 48 06 0.000 kW	OM 68.9 72.7
>Effective 3-2-92-Reserved for KMJJFM per MM Docket # 84-231		
++ - KMJJFM 259C2	Shreveport LA	58.3 116.79 117.0 -0.21
AP CN 32 36 27	93 46 24 50.000 kW	150M 72.6 72.7
SunGroup Broadcasting of Louisiana BPH920730MC		
>From Channel 261A Per MM Docket # 84-231		
** - AD260 260A	Sulphur Springs TX	329.1 141.80 142.0 -0.20
AD 33 09 07	95 36 12 0.000 kW	OM 88.1 88.3
Cavalier Broadcasting		
>Counterproposal		
WACOFM 260C	Waco TX	251.3 248.32 237.0 11.32
LI ZCN 31 20 15	97 18 37 90.000 kW	506M 154.3 147.3
SBG Communications of Texas, BLH901116KD		
KUEZ 257C2	Lufkin TX	175.2 71.93 56.0 15.93
LI CN 31 24 28	94 45 53 25.000 kW	213M 44.7 34.8
Darrell E. Yates BLH901015KF		
# - Proposed 263C in Redland, Texas is precluded by the present KGRI allotment on Channel 260A (MM Docket # 84-231)		
+ - Although this proposal is shortspaced to 259C2 allotted to Shreveport, Louisiana it is not short to the application to initiate C2 service by KMJJ (BPH-920730MC)		
++ & ** - The shortspaces to KMJJ, Shreveport, Louisiana (BPH-920730MC) and the proposed Channel 260A, Sulfur Springs, Texas are less than 0.5 km therefor round to 0.		

EXHIBIT #1  
DEAN BROADCASTING, INC.  
KGRI FM RADIO STATION  
has: CHANNEL 260A  
req: CHANNEL 260C3  
HENDERSON, TEXAS  
OCTOBER 1992

KGRI - HENDERSON, TEXAS  
UPGRADE CLEARANCE STUDY

REFERENCE			CLASS A	DISPLAY DATES				
32 03 15 N				DATA	08-26-92			
94 49 43 W			Current rules spacings	SEARCH	10-02-92			
-----			CHANNEL 260 - 99.9 MHz	-----				
CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)	
-----								
ALOPEN 260A	Henderson		TX	0.0	0.00	115.0	-115.00 *	
AL N	32 07 30	94 48 00	0.000 kW	OM	0.0	71.5		
>Effective 3-2-92-Reserved for KGRIFM per MM Docket # 84-231								
# - AD263	263C	Redland	TX	163.0	66.90	95.0	-28.10	
AD	31 32 53	94 35 36	0.000 kW	OM	41.6	59.0		
Irvin Davis								
>Counterproposal								
+ - ALOPEN 259C2	Shreveport		LA	63.8	104.74	106.0	-1.26	
AL N	32 32 30	93 48 06	0.000 kW	OM	65.1	65.9		
>Effective 3-2-92-Reserved for KMJJFM per MM Docket # 84-231								
KMJJFM 259C2	Shreveport		LA	61.0	110.45	106.0	4.45	
AP CN	32 36 27	93 46 24	50.000 kW	150M	68.7	65.9		
SunGroup Broadcasting of Louisiana BPH920730MC								
>From Channel 261A Per MM Docket # 84-231								
AD260	260A	Sulphur Springs	TX	326.5	136.57	115.0	21.57	
AD	33 09 07	95 36 12	0.000 kW	OM	84.9	71.5		
Cavalier Broadcasting								
>Counterproposal								
ALOPEN 261C2	Atlanta		TX	30.4	129.14	106.0	23.14	
AL N	33 07 47	94 06 15	0.000 kW	OM	80.3	65.9		
>Effective 3-2-92-Reserved for KPYN per MM Docket # 84-231								
KUEZ	257C2	Lufkin	TX	177.6	79.60	55.0	24.60	
LI CN	31 24 28	94 45 53	25.000 kW	213M	49.5	34.2		
Darrell E. Yates BLH901015KF								
-----								
# - Proposed 263C in Redland, Texas is precluded by the KGRI allotment on Channel 260A (MM Docket # 84-231)								
+ - Although Channel 260A for Henderson is shortspaced to the allocation site for 259C2 at Shreveport, Louisiana, it is not short to the application to initiate C2 service by KMJJ (BPH-920730MC)								

EXHIBIT #2  
DEAN BROADCASTING, INC.  
KGRI FM RADIO STATION  
has: CHANNEL 260A  
req: CHANNEL 260C3  
HENDERSON, TEXAS  
OCTOBER 1992





AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

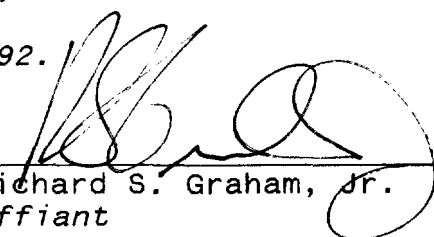
State of Georgia       )  
St. Simons Island     )       ss:  
County of Glynn       )

RICHARD S. GRAHAM, JR. being duly sworn, deposes and says that he is an officer of Bromo Communications, Inc. Bromo has been engaged by Dean Broadcasting, Inc., licensee of Radio Station KGRI (FM), to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He is a graduate of Auburn University and has been active in broadcast engineering since 1972.

The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 6th day of October, 1992.

  
\_\_\_\_\_  
Richard S. Graham, Jr.  
Affiant

Sworn to and subscribed before  
me this the 6th day of October, 1992.

\_\_\_\_\_  
Notary Public, State of Georgia  
My Commission Expires: September 8, 1995